

REMARKS

This is in response to the Office Action mailed on December 17, 2004, and the reference cited therewith.

Claims 30, 31, and 34-38 are amended, claims 5-28 are canceled, and claims 39 and 40 are added; as a result, claims 29-40 are now pending in this application.

§102 Rejection of the Claims

Claims 1 and 2 were rejected under 35 USC § 102(e) as being unpatentable over Hoffman (U.S. 2004/0128249). Applicant thanks the Examiner for considering claims 1 and 2. However, Applicant submitted a preliminary amendment canceling claims 1-4. Applicant submitted the preliminary amendment concurrently with filing the Instant Application on October 16, 2003.

Allowable Subject Matter

Claims 3 and 4 were indicated as being allowable. Applicant thanks the Examiner for considering claims 3 and 4, but as noted above, the preliminary amendment cancelled claims 1-4. Applicant has added claims 41 and 42, which include features similar to cancelled claims 3 and 4. Because claims 41 and 42 include features similar to those of cancelled claims 3 and 4, Applicant submits that claims 39 and 40 are in condition for allowance.

Unconsidered Subject Matter

As noted above, Applicant submitted a Preliminary Amendment concurrently with filing the Instant Application on October 16, 2003. PAIR indicates that the Preliminary Amendment was received by the USPTO at the same time as the Instant Application. For the Examiner's convenience, Applicant is including a copy of the Preliminary Amendment with this response. Applicant thanks the Examiner for consideration of the Instant Application and requests consideration of claims 29-42.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (408) 333-9972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SANCHO ENRIQUE DAVID

By his Representatives,

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Date 04/18/05

By 

Andre L. Marais

Reg. No. 48,095

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18 day of April, 2005.

Dawn R. Shaw

Name


Signature